



# DEPARTMENT OF SOUTH CAROLINA POST BY-LAWS

## WITHOUT A CANTEEN

POST No. \_\_\_\_\_

\_\_\_\_\_  
*Official Name of Your Post*

### ARTICLE I

#### NAME AND LOCATION

- ◆ **SECTION 1.** By virtue of charter granted, this Post shall be known as: Official Name of the Post \_\_\_\_\_ Post No. \_\_\_\_\_ Veterans of Foreign Wars of the United States-Department of South Carolina.
- ◆ **SECTION 2.** The location of this Post shall be in the City/Town of \_\_\_\_\_ County of \_\_\_\_\_, State of South Carolina.

### ARTICLE II

#### SUBORDINATION

- ◆ **SECTION 1.** The supreme power of this association is vested in the National Convention of the Veterans of Foreign Wars of the United States, and this Post shall be at all times governed by the Congressional Charter and By-Laws of the Veterans of Foreign Wars of the United States, the By-Laws of the Department of South Carolina, orders issued by the authority of the National Convention, National Council of Administration, the Commander-In-Chief, the Department of South Carolina Convention, Department of South Carolina Council of Administration and the Commander of the Department of South Carolina. For the purposes of this Article and Section, Resolutions adopted by the National Convention are held to be lawful orders.

## **ARTICLE III**

### **MEETINGS**

◆ **SECTION 1.** Place: The regular meeting place of this Post shall be at: [address] \_\_\_\_\_  
\_\_\_\_\_, City/Town of: \_\_\_\_\_, South Carolina

The Post may change its meeting place in accordance with the provisions of Section 206 of the National By-Laws and Manual of Procedure.

◆ **SECTION 2.** Time: The regular scheduled meetings of the Post shall be held on the \_\_\_\_\_ [i.e.: 2nd Monday] of each month, to be called to order at \_\_\_\_\_ [am or pm]. The Post may, after at least fourteen (14) days written notice to the Department Commander and the members of the Post, change its meeting place, appointed day or time upon a majority vote of the members present at a regular or special meeting called for such purpose. The Post members and the Department Commander shall be notified of any change of the appointed day and/or time of the regular meeting.

◆ **SECTION 3.** Special Meetings: A Special Meeting may be called in accordance with the provisions of the National By-Laws. [National Manual of Procedure-Section 203: Special meetings must be called for a date not more than fourteen (14) days after: (a) The Post Commander receives the signed, written request; or: (b) The majority vote of the members present at a regular meeting; or (c) The date upon which the Post Commander determines that a special meeting may be necessary. The Post Adjutant shall give notice, in writing, of the time and place of any special meeting and of the business to be transacted, such notice to be given in such a manner as to reasonably reach members at least forty-eight (48) hours in advance of the time set for the meeting. No business shall be transacted at any special meeting except that for which the meeting is called. The Post Commander shall call a special meeting upon the signed written request of seven (7) members or upon the vote of the majority of the members present at a regular meeting. The Post Commander may call a special meeting of the Post whenever in his opinion it may be necessary for the welfare of the Post. No business shall be transacted at any special meeting except that which the meeting is called.

◆ **SECTION 4.** Quorum: \_\_\_\_\_ members in good standing shall constitute a quorum or the transaction of business. [Section 203 National By-Laws: The Post By-Laws may specify the minimum number of members required to constitute a quorum for the transaction of business at a regular or special meeting, provided that *in no case* shall the quorum be less than five (5) members.

## ARTICLE IV

### MEMBERSHIP

- ◆ **SECTION 1.** Membership: Membership in this Post, eligible to, application for, acquiring and maintenance of, loss of discipline shall be in accordance with the provisions of the National By-Laws.
- ◆ **SECTION 2.** Admission Fee: The Admission fee [new members] of this Post shall be: \$ \_\_\_\_\_, payable in accordance with the National By-Laws.
- ◆ **SECTION 3.** Dues: The dues of this Post shall never be less than the amount required to cover Department and National dues.

## ARTICLE V

### OFFICERS

- ◆ **SECTION 1.** Eligibility to, nomination, election or appointment, installation, duties and term of office shall be in accordance with the provisions of the National By-Laws.
- ◆ **SECTION 2.** The duties of all officers shall be those prescribed by National and Department By-Laws, lawful orders as the Post may direct and as these By-Laws may provide.

## ARTICLE VI

### COMMITTEES AND DUTIES

- ◆ **SECTION 1.** All committees and their chairmen, unless otherwise provided, shall be appointed by the Post Commander as promptly as possible after election to office, and as such shall serve at his will and pleasure. The Post Quartermaster, by virtue of his office, shall be the treasurer of *all* committees handling funds.
- ◆ **SECTION 2.** The standing Committees of the Post shall be as follows:
  - Membership
  - Relief
  - Buddy Poppies
  - Publicity (newspapers etc.)
  - House Committee
  - Ways & Means
  - VA Volunteer Services
  - Community Service
  - Americanism
  - Loyalty Day
  - Youth Activities
  - Safety Programs
  - "Voice of Democracy" Program
  - "Patriot's Pen" Program
  - National Citizenship Teacher Award Program
  - Safety Programs
  - National Military Services

## ARTICLE VII

### POST GOVERNANCE POLICIES

◆ **SECTION 1.** Post Governance Policies:

- The Post shall keep annual Governance Policies and make sure that they are retained and signed [where applicable] in case of an Internal Revenue investigation.

◆ **SECTION 2.** Post Governance Policies shall include Post Conflict of Interest Policy, Post Gift Policy, Post Whistle-Blower Policy, Post Document Retention and Destruction Policy and Post Joint Venture Policy.

## ARTICLE VIII

### ADDITIONAL RULES

◆ **SECTION 1.** Additional Rules:

- The Post may adopt additional Rules or By-Laws, not in conflict herewith. A copy of these rules shall be posted at all times in a conspicuous place on the Bulletin Board of the Post.

## ARTICLE IX

### COMPLIANCE

◆ **SECTION 1.** Compliance:

- These rules are and shall in the future be in full compliance with the Department of South Carolina VFW.

## ARTICLE X

### CONTROL OF SUBSIDIARY UNITS

- ◆ **SECTION 1.** Any Activity, Club Room/Canteen that is sponsored, operated by the Post, incorporated separately from the Post or unincorporated, shall be at all times under the direct control of the Post.
- ◆ **SECTION 2.** All funds derived from any of the above shall be in the custody of the Post Quartermaster.
- ◆ **SECTION 3.** All monies, property and assets of every kind, as well as, all records in connection therewith used, held and owned by any of the above activities is the property of the Post and must be placed in the care and custody of the Post Quartermaster.
- ◆ **SECTION 4.** For purposes of this Article, the Ladies Auxiliary to the Veterans of Foreign Wars, the Military Order of the Cootie and its Ladies Auxiliary are governed by Articles XI and XII respectively of the National By-Laws and Manual of Procedure of the Veterans of Foreign Wars and their respective By-Laws, Rules and Regulations.

## ARTICLE XI

### EXPENDITURE OF FUNDS

- ◆ **SECTION 1.** Expenditure of funds shall be made only after prior authorization by the Post and on a proper voucher drawn by the Adjutant and approved by the Post Commander. All checks for expenditures of Post funds shall be numbered in sequence, the number of each check to correspond with the voucher authorizing the same and in addition to the signature of the Quartermaster, shall be countersigned by the Post Commander.
- ◆ **SECTION 2.** The adoption of this Article shall constitute authorization by the Post for the payment of bills, when and as due, for monthly rental/mortgage public utility service, janitorial service, janitorial supplies, kitchen supplies and minor emergence repairs authorized by the House Committee, provided that the amounts to be paid for monthly rental of equipment and other monthly bills such as Club Room/Canteen supplies etc. have been previously established by the Post.
- ◆ **SECTION 3.** No other payment or expenditures shall be made except on the specific authorization of the Post in each and every case.

## ARTICLE XII

### COMPENSATION

- ◆ **SECTION 1.** No compensation shall be paid to any officer [elected or appointed] of this Post for his/her services as such officer, except as hereafter may be provided.
- ◆ **SECTION 2.** All funds derived from any of the above shall be in the custody of the Post Quartermaster.
- ◆ **SECTION 3.** For services rendered, the Post may, by a majority vote, pay the annual dues of the Adjutant and Quartermaster for the periods or parts of the periods they serve as such, and such other compensation commensurate with their duties as may be determined and specified by a majority vote of the Post.

## ARTICLE XIII

### FUNDRAISING PROMOTIONS/SOLICITATIONS

- ◆ **SECTION 1.** This Post shall solicit funds or donations only by prior vote of the members agreeing to the proposition. The Post shall not solicit funds outside the immediate geographical area or community of the Post.
- ◆ **SECTION 2.** This Post shall not enter into any agreement with a promoter for the purpose of raising funds unless the said promoter shall have first furnished a good and sufficient surety bond in a principle sum sufficient to give the Post ample protection in the particular circumstances. The said bond shall be subject to the approval of the Post Judge Advocate, bear the endorsement of the Post Commander and be kept in possession of the Post Quartermaster. The bond will be conditioned on the payment to the Post Quartermaster of all monies due the Post as a result of the solicitation within thirty (30) days of the close of the campaign. If the promoter has made satisfactory settlement within the thirty (30) day period, then surety will be determined to be discharged, otherwise the bond will remain in full force and effect.
- ◆ **SECTION 3.** If the bond cannot be furnished, then all collections shall be made by the members of the Post sponsoring the campaign or entertainment and said funds shall be paid to a bonded officer of the Post who shall hold the funds in his custody pending proper pro rata distribution.

## **ARTICLE XIV continued....**

### **FUND RAISING PROMOTIONS/SOLICITATIONS**

- ◆ **SECTION 4.** Fund Raising Organizations or individuals conducting solicitations, activities or projects for a profit shall not be engaged or used by the Post for such purpose unless such engagement is made by written agreement between the Post and the organization or individual (s) providing those services. The form of any such written agreement must be submitted to the Department Commander for review at least thirty (30) days prior to the Post entering into any such agreement.
- ◆ **SECTION 5.** Unless previously authorized by a majority vote of the Post, no solicitations or ticket sales shall be permitted in the Post quarters or at socials or meetings unless such solicitations or ticket sales shall have been approved by the Post.
- ◆ **SECTION 6.** The Ways and Means Committee shall confine any such approved solicitations or ticket sales to stated meetings and socials of the Post in or around the Post quarters.

## **ARTICLE XV**

### **MISCELLANEOUS**

- ◆ **SECTION 1.** Every member of this Post shall keep the Post Adjutant and Post Quartermaster advised of his/her current address by promptly reporting any change of same.
- ◆ **SECTION 2.** Upon the death of a member, the Post Adjutant or Post Quartermaster shall notify National Headquarters as well as the Department of South Carolina Chaplain.
- ◆ **SECTION 3.** A current copy of the National By-Laws, Manual of Procedure and Ritual (Podium Book), Demeter's Manual, as well as, the current Department of South Carolina VFW By-Laws shall be retained with the Adjutant's records.
- ◆ **SECTION 4.** One copy of these National approved Post By-Laws shall be issued to each elected and appointed officer of this Post.
- ◆ **SECTION 5.** In all Post procedure (s) not provided for by the National Congressional Charter and By-Laws or these By-Laws, Demeter's Manual shall be the authority, and it shall be the duty of the Post Judge Advocate, in a supervisory way, when called upon to do so by the Post Commander, to advise the Post Commander on the rule (s) of order.

## ARTICLE XVI

### SPEECHES

- ◆ **SECTION 1.** No member shall be permitted to speak on any one subject (pro or con) more than twice; the first time no longer than five (5) minutes and the second time no longer than three (3) minutes, with the exception of a committee report and recommendations and visiting guests who have a message to deliver to the members.

## ARTICLE XVII

### AMENDMENTS

- ◆ **SECTION 1.** These By-Laws shall become effective after adoption by this Post and after review by the Department of South Carolina Commander and the Commander-in-Chief of the Veterans of Foreign Wars of the United States.
- ◆ **SECTION 2.** Unless otherwise provided for in these By-Laws, these By-Laws may be amended by the Post by a two-thirds vote of the members present at a stated meeting provided each member had been notified at least twenty (20) days in advance and upon request provided a copy of the proposed amendments. All amendments shall be forwarded through channels and reviewed by the Department Commander and the Commander-in-Chief before becoming effective.
- ◆ **SECTION 3.** Wherever these By-Laws or subsequent amendments may be found to be in conflict with the present or any future National By-Laws and the By-Laws of the Department of South Carolina VFW, the latter shall prevail and be binding upon this Post as though written herein.
- ◆ **SECTION 4.** Three (3) copies of these adopted By-Laws or subsequent amendments shall be forwarded through channels to Department Headquarters, which after review will be forwarded to the Commander-in-Chief.

These By-Laws were adopted, subject to the review of the Commander-in-Chief of the Veterans of Foreign Wars of the United States and the Department of South Carolina Commander-Veterans of Foreign Wars of the United States on this \_\_\_\_\_ day of the month of \_\_\_\_\_, 20\_\_\_\_ at a regular meeting of this Post in the City/Town of \_\_\_\_\_, and County of \_\_\_\_\_, State of South Carolina.

\_\_\_\_\_ *Official name of the Post* \_\_\_\_\_ *Post No.*

Veterans of Foreign Wars of the United States

By \_\_\_\_\_  
*print post commander's full name*

By \_\_\_\_\_  
*post commander's signature*

OFFICIAL AGENT

By \_\_\_\_\_  
*print post adjutant's full name*

By \_\_\_\_\_  
*signature of post adjutant*

Date: \_\_\_\_\_

- ***These documents to be completed in triplicate with the signatures of the Post Commander and Post Adjutant affixed to each copy***